

Part 3 Post-Award

Section 06 Reports and Records

A. Principles

Purpose. This Grants Policy Directive (GPD) outlines HHS policies for grant-related files and documentation to be created and maintained by HHS awarding offices, both on a program-wide basis and on an award-by-award basis. It particularly emphasizes that documentation related to post-award monitoring and oversight of grantee performance. It also specifies the responsibilities of grants management staff and program officials/project officers in these areas.

Scope. This GPD supplements the provisions of 45 CFR Parts 74 and 92 and applies to discretionary grants only. It covers general requirements for HHS awarding office creation, maintenance, and disposition of reports and records during and after the period of grant support.

B. Policy for Post-Award Monitoring

Post-award administration is a vital component of a viable grants management function. It consists of a number of different activities carried out by grants management staff, program staff, auditors, and others. Performance monitoring includes transaction-specific assessments of grant-related performance and financial aspects as well as consideration of institutional performance. These activities must result in a coordinated approach to oversight of grantee performance.

There must be a continuing dialogue between the Grants Management Officer (GMO)/Grants Management Specialist (GMS) and the Project Officer/Program Official (PO). This dialogue should allow for assessment of whether:

Grantee progress is consistent with available funding will current funding be adequate or will some form of supplementation have to be considered; are unobligated balances being accumulated and how (or will they be spent).

Changes are anticipated that will require action by the awarding office, for example, involvement of additional research sites when human subjects are involved or a change in Principal Investigator (PI) or Project Director.

There are actual or potential institutional compliance issues that may have an impact on the particular project(s) being funded. Each Operating Division (OPDIV) must develop an approach to post-award monitoring that ensures that, by program and/or type of grant, grants management staff and program staff make a formal coordinated determination concerning grantee performance and progress. The monitoring approach should be consistent with the type of program, whether the award instrument is a grant or cooperative agreement, and other relevant factors. The approach to post-award monitoring should be determined as part of program implementation planning and should include consideration of those aspects of performance, in addition to those specified in 45 CFR Parts 74 or 92, that may require special attention due to such things as the type of programmatic activity and type of recipient.

The monitoring approach should:

Include, as appropriate, aspects of institutional compliance as well as award-specific considerations.

Address known or potentially sensitive areas, whether based on a "high-risk/special award conditions" designation or on areas requiring special attention by the GMO/PO, such as matching, property, or program income.

Be reviewed on, at least, an annual basis and be modified, as appropriate, based on information gained from Office of the Inspector General or General Accounting Office reports, or other program-wide assessments.

Consistent with the requirements of 45 CFR Parts 74 and 92 and the GPDs, address mutually agreed on standards (between grants management staff and program staff) for (a) follow-up to obtain delinquent reports, (b) escalating enforcement actions in the event of continued delinquency (see GPD 3.07), (c) reviewing and providing feedback within the awarding office and to the recipient, if necessary, and (d) accepting revised reports.

Address the means by which information will be shared, the sources of information to be used in making evaluations, and the form of documentation. This may involve electronic sharing of information using workflow software, creation of shared databases, and/or design of program-specific templates.

The award-by-award assessment should not only include review of performance reports but also review of related audits and other required reports. This assessment should take place on an ongoing basis, but must be documented at least annually and the results included in the grant file. It should generally occur as part of the process leading to approval or withholding of a non-competing continuation award. It also may serve as the basis for determining whether to designate a recipient as "high-risk/special award conditions.

C. Documentation Requirements

Awarding offices shall create and maintain files that allow for a third party (e.g., auditor or other reviewer) to follow the "paper trail" beginning with program initiation through closeout of individual awards, and decisions made and actions taken in between. Files should generally include hard copies of electronically created or transmitted documents, including e-mail.

At a minimum, awarding office files shall include an institutional profile and an instrument-specific file (by competitive segment), as discussed below.

Institutional Profiles

The institutional profile should consist of information that identifies the institution (for example, Taxpayer Identification Number, and name of business official) and institutional information (for example, date of most recent indirect (facilities and administrative) cost rate negotiation and details, status of OMB Circular A-133 audit report receipt and disposition, status of required assurances, inclusion on the Departmental Alert List, and whether debts are owed).

Certain of this information may be available from a central electronic source(s), and OPDIVs are encouraged to rely on such information to the extent possible. When OPDIVs create and maintain their own institutional files, they must ensure that they are accurate and up-to-date and must ensure that they are secure but accessible to OPDIV grants management staff as well as grants management staff in other OPDIVs.

Award Files

(1) OPDIVs should adopt their own requirements for file assembly and structure; however, an official file(s) must be created for each grant and must contain the following types of documentation, as applicable:

- (a) Signed copies of applications and all documentation related to review and approval of the applications, evaluation of the applicant's business systems, and assessment of financial and technical performance.
- (b) All Notices of Grant Award.
- (c) Any approved deviations.
- (d) Site visit reports, records of telephone calls, and post-award technical assistance provided.
- (e) Prior approval requests and other post-award correspondence.
- (f) Documentation related to enforcement actions, including any grant appeals.
- (g) Required financial and performance reports and evidence of review and acceptability.
- (h) Invention statements.
- (i) Closeout documentation.

(2) In addition, OPDIV files must comply with the following:

- (a) Official files must be created and maintained by the Grants Management Office:
- (b) File contents must be checked prior to each award against a checklist that is reviewed and updated annually;
- (c) File contents must be current and must be capable of being easily identified and accessed;
- (d) Documentation related to each budget period should be filed separately to the extent possible; and
- (e) Applicable documents must be included in hard copy (including electronic documents, such as e-mail requests for prior approval) or must be referenced to a separate file or repository.

D. Responsibilities

Grants Management Officers.

GMOs are responsible for:

Developing and issuing guidance concerning filing requirements and monitoring consistent with the requirements of this GPD.

Assessing, on a periodic basis, through the HHS Grants Management Balanced Scorecard and other appropriate, systematic means, the effectiveness of the OPDIV's post-award monitoring.

Consulting with the OPDIV records management staff to establish appropriate records transfer and disposition schedules for grant-related documents (in accordance with the requirements of the National Archives and Records Administration).

Consistent with OPDIV policy requirements, including language in the terms and conditions of awards that alerts recipients to their reporting responsibilities and the potential consequences of not meeting those requirements in a timely or otherwise acceptable manner (i.e., complete, accurate, etc.).

Monitoring report due dates, and following up within time frames specified in an OPDIV/awarding office policy.

Negotiating and enforcing any revised report due dates based on grantee-initiated requests for extension.

Initiating the periodic assessment of grantee performance (see paragraph B.5.).

Providing timely information to POs that requires their attention, and consulting with them on possible enforcement actions.

Taking necessary actions to address actual or potential grant/grantee performance problems before they necessitate enforcement action, including bringing them to the attention of awarding office management, if appropriate.

Ensuring that, prior to closeout, all required OPDIV/awarding office actions are completed and advising the grantee of any continuing obligations with respect to property, program income, etc.

Project Officers.

POs are responsible for:

Documenting interactions with grantees/PIs that might have a bearing on performance (programmatic and/or financial).

Keeping the GMO/GMS informed in a timely manner of any potential issues.

Providing requested information, such as the acceptability of grantee-submitted reports, to the GMO/GMS in a timely manner.

¹ These requirements are addressed in NARA General Records Schedule 3 (Transmittal No. 8., December 1998) that also treats e-mail and word processing records.